

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DELAWARE AMERICAN LIFE  
INSURANCE COMPANY,**

**Plaintiff,**

**v.**

**CHRIS MASTOVICH-KING and  
KIM BEAL,**

**Defendants.,**

**No. 06-0972-DRH**

**ORDER**

**HERNDON, Chief Judge:**

This matter comes before the Court for docket control. On September 24, 2007, the Court allowed Beal leave to file an amended cross claim (Doc. 34). On October 8, 2007, Beal filed the amended cross claim (Doc. 37). Thus, the Court **DENIES as moot** Mastovich-King's motion for summary judgment (Doc. 28).

**IT IS SO ORDERED.**

Signed this 9th day of October, 2007.

/s/ DavidRHerndon  
**Chief Judge**  
**United States District Court**